

## NEBRASKA ADMINISTRATIVE CODE

TITLE 219 - DEPARTMENT OF LABOR

CHAPTER 2 - CLAIMS FOR BENEFITS

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* §§48-627, 48-629, and 48-607.

002. A. Any individual who wants to make a claim for unemployment benefits shall file an application for benefits by electronic media through a Nebraska Workforce Development, Department of Labor Claims Center. An initial application for benefits may, at the sole discretion of the Department, be completed and made by mail, or other approved methods. The individual shall provide such information as required on the application. Each application shall be signed by electronic signature or handwritten on a form prescribed by the Commissioner.
- B. In addition to completing and filing an initial application for benefits, a claimant shall register for work with the appropriate Department office unless this requirement is waived pursuant to 219 NAC 4(005). The initial application for benefits may serve as registration for work with an employment office by way of common data automatically shared and made accessible to the Nebraska Workforce Development Centers.
- C. The initial application for benefits shall be effective Sunday of the week in which the applicant files an application with the Department. The Commissioner, for good cause, may establish a different effective date.
- D. A week shall be deemed to be in, within, or during that benefit year which includes the greater part of such week.

003. A. A separate claim for benefits shall be made for each week of unemployment by a method of claiming as prescribed by the Commissioner.
- B. An individual shall be ineligible for benefits for any week for which the individual fails to demonstrate that the individual engaged in an active and earnest search for work as required under 219 NAC 4(002).

- C. If prescribed by the Commissioner, a claim form will be mailed by the Department and shall be completed by the claimant and returned to and received by the Department within ten days of the later of the date mailed or the week ending date which will be stated on the form. A claimant who fails to timely return the claim form shall be ineligible for that week's benefits unless good cause for the late return can be shown. If found ineligible, such applicant shall also be ineligible for benefits for any intervening weeks until the week in which the claim form is returned, regardless of cause.
  - D. An electronic media claim transaction shall be completed by the claimant and received by the Department by the Friday following the most recent week ending date. The failure of a claimant to timely complete an electronic media transaction shall be the basis for a denial of that week's benefits unless good cause for the late transaction can be shown. Any intervening weeks until the week in which the transaction was completed and received by the Department shall also be denied, regardless of cause.
  - E. A claim for benefits shall be filed by an electronic media claim transaction or returning a properly completed claim form for waiting week credit even though benefits are not payable for that week.
  - F. A claim for benefits shall be filed by an electronic media claim transaction or returning a properly completed claim form for each week of eligibility during the time an applicant is awaiting the results of an appeal hearing if the applicant intends to claim benefits during that time period.
004. If a claimant claims by mail and does not receive a new claim form within ten days after the completion and return of a claim form, the claimant shall immediately notify the Claims Center where the application was mailed. The Commissioner may deny benefits for the week in question if good cause is not shown for the failure to comply with the provision.
005. The Department may direct a claimant to contact one of its offices to meet eligibility or other reporting requirements, or to provide other information as needed in the administration of Nebraska Employment Security Law. Unless good cause is shown, failure to contact the office as directed may result in the denial of benefits beginning with the week the claimant was scheduled to report and ending the Saturday prior to the week in which he/she reports to the Department.
006. In the event that wage information cannot be obtained from an employer, the Department may request that such information be provided by the claimant. A failure by the claimant to
- comply with such a request by the due date on the form shall cause the claim to be processed without the requested wages and may result in a denial of benefits until the week in which the information regarding requested wages is received by the Department.
007. In the event of a major disaster declared by both the Governor of the State of Nebraska and the President, the Commissioner may permit backdating of the effective date of unemployment insurance claims to agree with the effective date of the federal disaster period.
008. Each worker engaged in employment covered by the Nebraska Employment Security Law, including service covered by election of an employer, shall procure a federal social security account number and furnish that number to every employer

for whom that worker performs covered employment.